

REMARKS / ARGUMENTS

Remaining Claims

Applicants affirm the provisional election to prosecute the invention of claims 1-37 made on September 17, 2004. In light of the election and the present amendments and cancellations, Claim 1, 3-10, 12-34 and 48-55 remain pending in this application. Applicants have amended claims 1, 3, 8, 9, 13, 14, 31, 34 and cancelled claims 2 and 11.

Rejection under 35 U.S.C. 112

The Examiner rejected claims 34 and 55 as being indefinite for lack on antecedent basis. Applicants amended claim 34 and amended independent claim 1 such that claim 55 now has proper antecedent basis. Applicants respectfully request that these rejections be reconsidered and withdrawn.

Rejections under 35 U.S.C. 103 (a)

The Examiner rejected claims 1,10 13-17, 19-22, 24, 32, 48 ,49 and 51-54 and objected to claims 2-9, 11, 12, 18, 25-31 and 50. Applicants have amended the claims necessary to put the present application in condition for allowance. As such, Applicants respectfully request that all of the outstanding rejections be reconsidered and withdrawn.

CONCLUSION

In view of the foregoing amendments, cancellations and in conclusion, Applicants submit that the 35 USC § 112 and 103 rejections set-forth in the Office Action have been overcome, and that the pending claims are not anticipated by or obvious over the cited art, either individually or in combination. Applicants request reconsideration and withdrawal of the rejection(s) set-forth in the Office Action.

Should the Examiner believe that a discussion with Applicants' representative would further the prosecution of this application, the Examiner is respectfully invited to contact the undersigned. Please address all correspondence to Robert Gorman, CIBA Vision, Patent Department, 11460 Johns Creek Parkway, Duluth, GA 30097. The Commissioner is hereby authorized to charge any other fees which may be required under 37 C.F.R. §§1.16 and 1.17, or credit any overpayment, to Deposit Account No. 50-2965.

Respectfully submitted,

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